

# NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

**RULE REPEAL AND PROMULGATION:** DMR Regulation 95.03 GG, Closed Area No. 18-R, East Harpswell and Long Island, Harpswell, promulgated on February 5, 1999, is repealed and replaced with the following rule:

**TEXT OF RULE:** DMR Regulation 95.03 GG, Closed Area No. 18-R, East Harpswell and Long Island, Harpswell

Effective immediately, because of potential microbiological contamination, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, intertidal flats and intertidal waters located in the following areas:

1. Inside and westerly of a line beginning at the Lesh dock (approximately 400 feet south of the first point of land southeast of Indian Point); then running south for approximately 200 feet to an old dock by an unofficial right of way on the south end of the Lesh property.
2. Inside and westerly of a line beginning at the easternmost tip of the prominent point on the eastern shore of Long Island, Harpswell (about half way between the north and south ends of the island); then running southerly (approximately 3000 feet) down the eastern shore of the island following the low tide mark to the next point of land on the island.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: April 16, 1999

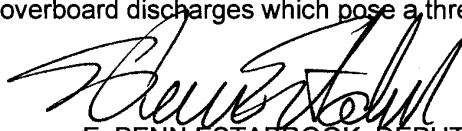
AGENCY CONTACT PERSON: Paul Anderson  
Department of Marine Resources  
McKown Point, PO Box 8  
W. Boothbay Harbor, ME 04575

TIMES RECORD  
April 21, 1999

## STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.03 GG, Closed Area No. 18-R, East Harpswell and Long Island, Harpswell, promulgated on February 5, 1999, and replaces it with a new regulation. This new regulation reduces the closure on the eastern shore of Long Island.

Department personnel have surveyed the shoreline and have determined that the newly open area is safe for shellfish harvesting. Areas remaining closed have overboard discharges which pose a threat to protect the public health.



E. PENN ESTABROOK, DEPUTY COMMISSIONER



# Department of Marine Resources

Legal Notice of Shellfish Closure Area **C18 R**

Indian Pt

---Closed 1.

East  
Harpowell

Long  
Island

West Bath

---Closed 2.

